

In the Court of the District and Sessions Judge, Nagapattinam.
Present: Thiru. T.H. Mohammed Farooq, M.A., M.L.,
District and Sessions Judge, Nagapattinam.
Wednesday, the 15th day of July 2026
Cr.M.P.No.539/2026

Lakshmanan, aged 35/2026, S/o Selvaraj

..... Petitioner/A1

/Vs/

The Inspector of Police, Thittacherry P.S.
Cr.No.62/2026

..... Respondent

This petition came up today (15.07.2026) before me in the presence of Tmt. R. Manjula, Advocate for the petitioner and Thiru. V. Elamaran, Public Prosecutor for the State/Respondent, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following . . .

ORDER

This petition is filed u/s. 483 of B.N.S.S. to grant bail for the offence U/s.303(2) of BNS r/w Sec.21(1) of Mines and Minerals (Development & Regulation) Act in Cr.No.62/2026 of Thittacherry Police Station.

2) Notice given to the respondent police and written objection was filed.

3) Heard both sides. Perused the material records. The petitioner is allegedly to have committed the offences U/s.303(2) of BNS r/w Sec.21(1) of Mines and Minerals (Development & Regulation) Act. The petitioner was arrested and remanded to judicial custody on 17.06.2026. It is alleged that on 17.06.2026 at about 06.00 a.m., while, the Inspector of Police, Thittacherry P.S. along with his police parties was conducted check on sand theft, they found the petitioner/A1 carrying ½ unit of river sand in a trailer attached with tractor bearing registration number TN49 AH 1807 and on seen the police he escaped. The case is registered by the respondent police and the petitioner is arrested and remanded to judicial custody for the above said offence.

3) The learned Counsel for the petitioner further submitted that the petitioner is innocent and falsely implicated in this case and he is not the driver of the vehicle at the time of occurrence. It is also submitted that the petitioner is in judicial custody for the past 21 days and that petitioner is ready to furnish sufficient sureties and abide with any stringent condition for bail. If the petitioner is released on bail, he will not abscond in any manner. Therefore prayed for bail.

4) Per contra, the learned Public Prosecutor raised serious objection and the petitioner having one previous case of similar nature in Cr.No.121/2022 and that he is a habitual offender, he commits theft of minerals. Further objected that if the petitioner is released on bail, he may involved in similar type of the offence. Hence, objection raised for release the petitioner on bail.

5) Considering that the petitioner having one previous case and has again involved in similar offence, this Court is not inclined to grant bail. Hence, the petition is dismissed.

In the result, **this bail petition is dismissed.**

Pronounced by me in open court, this the 15th day of July 2026.

DISTRICT AND SESSIONS JUDGE,
NAGAPATTINAM.

To

1. The Judicial Magistrate No.II, Nagapattinam.
2. The Inspector of Police, Thittacherry P.S.
3. Tmt. R. Manjula, Advocate, Nagapattinam.

(On payment of costs)